The A. F. of L. Weekly News Service gives news accounts and editorial interpretation of matters affecting labor according to its industrial, legislative, and judicial fields, and contains other information of benefit to the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

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Be sure your feet are on the right place, then stand firm.—Lincoln.

WHOLE NO. 1267 WILLIAM GREEN, President FRANK MORRISON, Secretary VOL. 25, NO. 30

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EDITORIALS

Judge Hits Railroad Strikebreakers

Federal Judge Nevin of the United States District Court of Southern Ohio does not look favorably on attempting to operate railroads in receivership with strikebreakers. He made this clear in his decision in a labor dispute between the employes of three divisions of the Cincinnati and Lake Erie Railroad Company, centering in Hamilton, Springfield and Lima, Ohio, with the receivers who operate the road.

Through their union officers the employes asked the receivers for a wage increase. The receivers said they could not grant the increase. Thereupon the employes took a strike vote.

Meanwhile Judge Nevin, who appointed the receivers, having learned of the controversy, asked both sides to present their case to him. The union representatives gave clear and convincing statements supporting the wage increase demand. The receivers presented complicated collections of figures which Judge Nevin said no one but a skilled accountant could digest.

Finally Judge Nevin ordered the receivers to pay the increase. In announcing the decision he said:

"I have made up my mind about this. The men must have some relief. They have the alternative of a strike, but that means the road will cease to operate; for I will not permit this property to be operated by strike-breakers."

Labor Contract Upheld

The recent decision of the First Division of the National Railroad Adjustment Board requiring the Louisiana and Arkansas Railway Company to obey the terms of a written labor contract with the Brotherhood of Locomotive Engineers is of great importance. It strengthens the position of collective bargaining agreements not only in the railroad service but in industry generally.

A contract of the Locomotive Engineers with the Louisiana and Arkansas required the employment of Brotherhood members in operating engines for all kinds of work on the road.

In 1934 the railroad let a contract to the Gifford-Hill Construction Company for field and construction work in connection with relocating some of its tracks near New Orleans. In carrying out its contract the Gifford-Hill Company hauled dirt from one to four miles over the main line of the railroad, employing engineers who were not members of the Brotherhood and paying them less than Brotherhood rates. In addition the construction company engineers were required to repair their engines and wash the boilers.

Officials of the Brotherhood claimed their contract required that all engine service on the Louisiana and Arkansas road should be done by its members and that a contractor using his own engines on the railroad's tracks must operate them with Louisiana and Arkansas engineers.

Harvey Couch, president of the railroad, refused to grant this claim. He contended the agreement with the Brotherhood had nothing to do with hiring engineers by the Gifford-Hill Company and did not require that Louisiana and Arkansas engineers be employed on the contractors' work.

The Adjustment Board, after a complete investigation, sustained the position of the Brotherhood of Locomotive Engineers. The Board ruled that Brotherhood members were deprived of work properly belonging to them under the contract and found that the Louisiana and Arkansas Railroad had violated the contract.

The award of the Board ordered the railroad company to pay its engineers the amounts they would have earned had they manned the engines used by the Gifford-Hill Company.

The decision in this case will be valuable as a precedent in organized labor's disagreements with employers who manifest a disposition to ignore the plain meeting of collective bargaining agreements.

Anti-Union Furniture Manufacturers Pay Employes 20 to 23 Cents an Hour

By A. F. of L. News Service.

The necessity of thoroughgoing organization of the workers in bona fide trade unions for the protection of their living standards is brought into the spotlight by the struggle of the Furniture Workers' Union in Los Angeles, Calif., to persuade 11 low-wage manufacturers to recognize the union, and pay union wages. The union, which is chartered by the United Brotherhood of Carpenters, has a membership of over 1,000.

The majority of the furniture workers in Los Angeles enjoy the benefits of an agreement with employers for minimum wages running from 40 cents to 50 cents per hour depending on the grade of skill. Although these rates are relatively low, 11 manufacturers refused to deal with the union or pay these wages. Most of the latter concern pay wages as low as 20 cents an hour. The rest of them paid 34 cents an hour. Prior to the NRA one plant paid 11 for a nine-hour day.

Determined to lift the wages of the workers to a point which would provide a decent living standard the union recently declared a strike covering the 11 plants.

George Walker, secretary of the Furniture Workers' Union, in commenting on the strike and its object, said:

"Our union is making a fight for better conditions which is showing the few Los Angeles manufacturers who do not believe in giving their employes a square deal that we mean business and will not back down. We are prepared for a long fight and are out to win.

"The wage level of the furniture workers must be raised to meet the increased cost of living. The union is dedicated to a program to create a better living among the furniture workers, believing that in a highly skilled industry, such as this, the workers have been underpaid."

The organized labor movement in Los Angeles is backing up the efforts of the furniture workers to eliminate sweatshop conditions that exist in the 11 furniture factories whose union employes are on strike.

Judge Bingham Upholds South Bend Strikers' Right to Picket Unfair Bakery

By A. F. of L. News Service.

South Bend, Ind.—The trade unions of South Bend won a victory for union tactics when Superior Judge J. Fred Bingham dissolved an injunction restraining members of the Bakery and Confectionery Workers' Union from picketing the bakery operated by Wincents Lindorf, whose employes struck recently when he refused to sign an agreement setting up wage and hour scales.

Lindorf charged that the pickets molested patrons of his bakery and in automobiles followed the delivery trucks through the streets.

Judge Bingham ruled that a law enacted by the Indiana Legislature in 1933 authorized peaceful picketing of business establishments by strikers. He held the pickets had acted peacefully and dissolved the temporary injunction which had been granted Lindorf on his petition.

The picketing law was explained by George Shook, former city attorney and counsel for the men named in Lindorf's suit.

George Sands, attorney for Lindorf, said there was no such law. Judge Bingham reminded Sands that he was a member of the 1933 Legislature which passed the law. Sands retorted that "a legislator doesn't have to read everything he passes on."

Judge Bingham also denied Lindorf's petition for a permanent injunction and $1,000 damages against seven employes who joined in the strike at his plant.

Kankakee Garment Workers Win Strike Against Overall Factory Wage Slash

By A. F. of L. News Service.

Kankakee, Ill.—Organized labor of Kankakee won a distinct victory for trade unionism when Bernstein-Cohen Company, overall manufacturers here, signed an agreement by which 115 strikers, mostly women, were returned to work on the 40-hour week at wages which prevailed on May 17, with provision for election of a grievance committee of five to represent the employes in dealing with the management.

The 115 employes walked out on June 25 in protest against lengthening of hours and wage cuts ranging from 10 to 30 per cent which the company imposed after the Supreme Court held the NRA unconstitutional. The employes were not organized when the strike occurred, but the union was immediately espoused by the Kankakee Federation of Labor and the United Garment Workers' Union.

Shortly after the walkout a number of the strikers were indicted for unlawful assembly and released under $500 bond. The cases are still pending.

The agreement settling the strike was negotiated by the assistance of Victor Altmas, international representative of the Garment Workers; Harry Schoch, commissioner of conciliation, U. S. Department of Labor, Chicago; Ralph Hall, president, and C. A. Bernier, secretary of the Kankakee Federation of Labor.

Los Angeles School Board Has Labor Representative

Los Angeles, Calif. (AFLNS).—John P. Dalton, president of Typographical Union No. 174 and a delegate to the Central Labor Council, took the oath of office as a member of the Los Angeles Board of Education in the presence of a large audience in the Chamber of Commerce Building, which is the meeting place of the Board.

Dalton's term here was especially interested in the event because it was the first time in the recollection of the oldest inhabitant when a representative of the trade union movement became an active participant in the administration of the educational system of the city.

Mr. Dalton was former president of the California State Federation of Labor.

"Kick-Back" Schemes On Federal Work Assailed By Senate Group

Labor Committee Says Contractors Have Defrauded Workers Of Large Sums—Urges New Prevailing Wage Laws.

By A. F. of L. News Service.

Washington, D. C.—The Senate Committee on Education and Labor made a strong report, written by Senator Walsh of Massachusetts, chairman of the committee, attacking the "kick-back" method by which unscrupulous contractors on Government projects defraud workers of their rightful wages.

The committee declared that "employment conditions on Government construction work were in a deplorable shape" and recommended the enactment of new legislation to prohibit the abuses.

The conclusions of the committee were reached after a year's investigation of the operation of the Bacon-Davis prevailing wage law following charges that contractors were compelling workers as the price of their jobs to "kick back" into the employers' pockets a considerable portion of their wages.

Exploitation of Workers

On the subject of the abuses uncovered by the investigation the report said:

"It was disclosed that unscrupulous contractors took full advantage of the unemployment situation to exploit labor and to deprive workmen of the wages to which they were justly entitled.

"The workmen, realizing that employment was scarce and fearful to jeopardize the meager income they were receiving, did not make complaint themselves, but injustice, in most instances, or were brought to light by trade labor organizations whose cooperation and assistance have been most helpful."

"Kick-Back" Methods Cited

Among the violations of the workers' legal rights the committee included direct "kick-backs"; where workers returned to employers stated amounts from their pay envelopes underpayment, and the letting of work to parties who kicked.

The committee also cited instances of arrangements between service officers supervising Civilian Conservation Corps camps whereby contractors were permitted to receive the workers' pay checks and deduct certain amounts.

Relief Work Practices Scored

The committee included among violations of the workers' rights the failure of the Emergency Relief Administration to pay prevailing wages on public works projects, the creation of arbitrary classifications known as "semi-skilled" labor, prohibited by Federal Emergency Relief Administration rules, and condemned laxness and irregularities of Government inspectors in enforcing labor regulations.

New Protective Laws Urged

Claiming that "those departments of the Government which show the most sincere effort to cope with the situation and expose corruption and graft in the main are confronted with barriers which it appears can be lifted only by further legislation," the committee recommended new laws to:

Guarantee payment of local prevailing wage to all laborers and mechanics on Federal construction in excess of $2,000 whether or not in conflict with existing law." The Bacon-Davis Act applied to Federal building construction in excess of $5,000.

Provide predetermination of the prevailing wage on contracts so contractors will know labor costs in advance.

Withhold payments to contractors to reimburse workers not paid prevailing wages.

Coordinate departmental activities so that the Government will not continue contracting with those who disregard the law.

Provide remedies for workers by allowing them the same right of action against contractors as is now conferred by the bond statutes on persons furnishing labor and materials.

CONSUMER COUNCIL PROBE REVEALS ICE CREAM FRAUD

By A. F. of L. News Service.

St. Paul, Minn.—The extent to which purchasers of ice cream are defrauded by so-called "overrun" was revealed here by an investigation conducted by the County Consumer Council operating by authority of the Agricultural Adjustment Administration.

"Overrun" is the name manufacturers give to the expansion of ice cream that comes with freezing. Government specifications limit the overrun to 50 per cent, which means that about one-third of the ice cream is air. Samples tested by the Minnesota State chemist revealed that the overrun in ice cream manufactured by eight companies in St. Paul ranged from 88 to 55 per cent.

Government specifications also prescribe that the bacteria count per cubic centimeter in ice cream must not be over 50,000. Chemical analysis of the St. Paul ice cream revealed bacteria as high as 10,000,000.

With these facts regarding the low quality and health standards of much of the ice cream manufactured in St. Paul the County Consumer Council established a movement for the more vigorous enforcement of State and city health requirements.

SHOE WORKERS APPEAL ANTI-PICKETING DECISION

By A. F. of L. News Service.

Lancaster, Ohio.—The Lancaster local of the Boot and Shoe Workers' Union decided to appeal the court decision which found seven members of the organization guilty of the charge of throwing a stone at a truck of the Godsell Shoe Company here during the strike last September. The conviction of the seven men is regarded as a challenge to the right to picket a plant which is unfair to organized labor.

Union officials claim the men were found guilty on the trumped up charges of assault to kill and assault to maim, although there was no evidence to that effect and there was any collusion or premeditation. The point is stressed that the warrants manifestly impossible for seven men to throw one stone which struck an occupant of the truck.

The Godman concern is the promoter of a company union called the "Employes' Association" which devotes much space to attacks on the Wagner Labor Disputes Bill, now the law of the land.

Indianapolis Starts City Gas Plant; Bonds Are Sold

Indianapolis, Ind. (AFLNS).—The city of Indianapolis has sold $10,000,000 4½ per cent bonds for the purpose of acquiring properties in the business of the Indianapolis Gas Company.

Under the requirements of the State law governing municipally owned and operated utilities, the city pledges itself to establish "a reasonable schedule of rates for gas and gas service which must include, among other things, the original cost thereof, the bonds, maintenance cost, operating charges, adequate funds for working capital, and a reasonable sinking fund." The bonds will be liquidated serially from 1938 to 1967.

An interesting sidelight on the bond flotation is the fact that Halsey, Stuart & Co. is one of the firms employed to float the issue. Prior to the crash of the Insull utility concerns, in which hundreds of thousands of wage earners and small salary earners lost their investments, Halsey, Stuart & Co. frequently employed Samuel G. Insull, the executive head of the Insull properties, to give radio addresses arousing the great economic disadvantages of municipally owned public utilities as compared with private ownership. Now Halsey, Stuart & Co. are promoting bond issues for the development of municipal ownership.

Fostoria Mayor Prevents Union Meeting; Speakers Are Arrested and Tear Gas Used

By A. F. of L. News Service.

A striking illustration to the extent to which anti-labor public officials will go to prevent the exercise of trade union activities is given in the action of George R. Cameron, Mayor of Fostoria, Ohio, who smashed a recent public meeting called by Federal Labor, appointed them deputy sheriffs and ordered them to block all the main highways leading to Fostoria at the time of the meeting with particular instructions to stop cars from Cleveland which were scheduled to bring two speakers.

It is charged that these orders were carried out in violation of a State law forbidding the obstruction of public highways and ordered until the sheriff of Seneca County and State police arrived. The meeting was held about midnight and ordered the roads opened.

Fearing for the safety of the two Cleveland speakers, Secretary Perkins went to the city limits and found the Mayor's special deputies had been sworn in. When the deputies refused to let the Cleveland men proceed, Mr. Perkins put them in his car and drove them into Fostoria over a back road, reaching the Knights of Pythias Hall, where the meeting was to be held, at 1.30 P. M.

An audience estimated at 1,500 men and women had assembled in front of the hall, but could not enter because Mr. Perkins had the key. As Mr. Perkins approached the door leading to the hall, two policemen blocked his way and arrested the Cleveland speakers on the vague charge of "suspicion." They did not warrant for the arrest, but took the men to jail, where they were held for over two hours and then released.

In the meantime, in order to be sure that no meeting would be held, the Mayor discharged tear bombs in the hall and compelled the working men and women in front of the hall to disperse. A large portion of the workers then followed the police to the jail and protested their action. The answer of the authorities was a number of gas bombs thrown into the crowd.

Mayor Cameron's use of violence manipulated by deputies and policemen aroused the workers of their constitutional rights of free speech and free assemblage will long be remembered by working men and women in Fostoria.

Relief Wages in Wisconsin Run From $40 To $94 Per Month; 40-Hour Week Is Rule

By A. F. of L. News Service.

Madison, Wis.—AFL-Gen. Ralph M. Immell, Federal Works Progress Administrator for Wisconsin, announced an order establishing the wage rates on relief work in the State. The rates range from $40 monthly for unskilled labor and $85 for professional and skilled workers in rural areas and communities of less than 5,000 inhabitants to $55 and $94 in Milwaukee County.

The wages are determined on the basis of the 1930 census of Wisconsin communities as ordered by President Roosevelt. Jobs will be classified as unskilled, semi-skilled, skilled, professional and technical. General Immell pointed out that the wage rates and job classifications are in accordance with orders issued by the President, which leaves the State no discretionary power.

The maximum hours of employment will be eight per day and 40 per week. Exceptions are made for work requiring longer hours. General Immell said the monthly wage rates are in the nature of a salary and workers will be paid for time lost due to unavoidable conditions, such as bad weather. Efforts will be made to provide continuous operation of projects each month by having employes work periods on relief rolls.

Persons less than 17 years old will not be employed. In general only one member of a family will be given work.

LETTER CARRIERS MEET IN CLEVELAND, SEPT. 2

By A. F. of L. News Service.

Washington, D. C.—The thirtieth convention of the National Association of Letter Carriers will be held in Cleveland, Ohio, September 2-7, officials of the organization announced from the headquarters of the American Federation of Labor Building here.

A major event of the convent will be the big Labor Day letter carriers' parade which will take place on the opening day.

"This parade is certain to be a most impressive affair, reflecting as it will the scope, the magnitude and representative national character of our great movement," declares the Postal Record, the official journal of the Association, adding: "The participation of many letter carrier bands, with their stirring offerings of melody and song, will be a joy to all beholders."

To stimulate a spirit of friendly rivalry between marching delegations the Cleveland Convention Committee offers five cash prizes of $100 each, including one for the best costumed mess delegation comprising 10 or more marchers, one for the best costumed ladies' delegation comprising 10 or more marchers, one for the best drilled men's delegation, one for the largest band from the farthest distance, and one for the best uniformed band.

COLUMBUS PACKER LOSING WAR AGAINST UNION LABOR

By A. F. of L. News Service.

Columbus, Ohio. — Organized labor here is meeting with success in the campaign to persuade the Columbus Packing Company that it is twice not to employ meat cutters who belong to the Amalgamated Meat Cutters and Butcher Workmen of North America, whose local union has placed the concern on its "we don't patronize" list.

By spreading the false statement that the strike had been settled, salesmen of the unfair concern unloaded half a truck load of meat on various meat markets in the city, but effectively renewed as soon as the canard was found out.

The Meat Cutters' Union is receiving valuable assistance from the Dayton local of the organization, whose members have visited all of the Dayton meat dealers and received a pledge that they will buy no more of the products of the Columbus Packing Company until the dispute is settled favorably to the union.

Protection for Trade Union Names Given by New Ohio Law

Columbus, Ohio (AFLNS).—The law enacted by the recent session of the Ohio Legislature to protect the trade and labor union organizations becomes effective on September 6.

The law provides that any labor organization can register its name with the Secretary of State upon which a fee of $2 is required. After that date no organization can incorporate under a name which has been registered and may not use the word "union" unless it has been granted a charter or given permission to permit the use of such name and the word "union." The law is not retroactive.

Ohio trade unions believe that in addition to protecting their names the law will benefit in preventing dual organizations from using the word "union."

Sugar Beet Farmers Must Enforce Child Labor Ban

Washington, D. C. (AFLNS).—Officials of the Agricultural Adjustment Administration announced that sugar beet farmers must prove they have complied with the child labor provisions of their contracts with AAA before they receive final 1934 and first 1935 benefit payments.

"These contracts," the statement said, "prohibit the employment of children in sugar beet fields and limit labor of children between 14 and 16 years to eight hours per day. Children of producers signing contracts and of tenants actively engaged in the management of a farm they lease are exempt."

California 30-Hour Week Law Dies; 48 Hours Now in Effect

Sacramento, Calif. (AFLNS).—Attorney General Webb of California rendered a decision declaring the 30-hour week law covering State, county and city public construction projects expired on July 1 and that it would require legislative enforcement on jobs now under construction. He ruled that the law governing such work is the section of the penal code providing for an eight-hour day and a six-day week.

The lapsing of the 30-hour week law was due to the refusal of the Senate in the recent session of the Legislature to continue the emergency 30-hour schedule.

It was pointed out that unless contractors voluntarily agreed in continuing operations under the present 30-hour maximum work week, about one-third of the men employed on public works jobs would be dismissed.

Locomotive Engineers Hit Beaver-Mahoning Canal; Job Loss for 3,500 Men Violened

By A. F. of L. News Service.

Cleveland, Ohio.—Officials of the Brotherhood of Locomotive Engineers here urged all the members of the brotherhood to ask their Congressmen to oppose the deepening of the rivers and harbors bill appropriating funds to complete the Beaver-Mahoning canal, which would start from the Ohio River near Pittsburgh, running along the Beaver River to New Castle, Pa., through Youngstown, Ohio, to Lake Erie near Ashtabula.

The canal would be used to carry from a free channel for barges in the iron ore and coal trade between the upper Lake ports and the Ohio-Pennsylvania-West Virginia District.

Officials declare that it is possible for the boats to take traffic of millions of tons from the six railroads now serving the territory, which are barge "operators," the brotherhood officials declare, and that the canal would largely displace coal from this source to pay labor and other expenses. They would be forced to demand wage cuts.

Brotherhood officials estimated that the construction of the canal would result in "approximately 3,500 railroaders" being laid off.

Labor Relations Act Is High Point In Workers' Rights, Green Declares

American Federation of Labor Head Says It Culminates 40 Years' Effort to Have Labor's Just Demands Written into Federal Law—Criticizes Supreme Court Decision Holding NRA Unconstitutional—Insists Congress Must Have Power to Legislate for Social Welfare.

By A. F. of L. News Service.

Washington, D. C.—The rights of working men and women in the United States reached a new high point when Congress enacted and President Roosevelt signed the National Labor Relations Act, declares William Green, president of the American Federation of Labor, in an editorial in the August American Federationist urging 100 per cent observance of the law as necessary to protect the efforts of workers to improve their economic condition.

The editorial criticizes the decision of the Supreme Court holding the National Industrial Recovery Act unconstitutional and insists that Congress must have power to pass social progress legislation.

Forty Years' Struggle

"The Wagner-Connery National Labor Relations Act marks a new level in establishment of wage earners' rights," Mr. Green declares. "The American Federation of Labor began about four decades ago to secure legal sanction for rights which had been fully recognized by society but without accepting any responsibility for making those rights to wage earners. Society fully accepted the principle that any wage earner had a right to belong to a union of his trade or industry and that he could best promote his economic welfare through collective bargaining by union representatives.

"The first step in securing legal recognition of our rights was the labor provisions of the Clayton Anti-Trust Act, declaring that the labor of a human being is not a commodity or article of commerce and restricting the use of injunctions in industrial disputes.

"The second gain was the Norris-LaGuardia Act outlawing yellow dog contracts through which workers were forced to give up the right to join membership as a condition of employment.

"The third was Section 7-A of the National Recovery Act assuring workers the right to organize and bargain collectively through representatives of their own choosing.

"The fourth was the Railway Labor Act passed by the Emergency Railroad Transportation Act which definitely assured to railway workers the right to organize.

Wagner Act Prohibitions

"The fifth, Joint Resolution 44, established a board to deal with violations of this section and to authorize elections for the selection of collective bargaining representatives.

"The sixth, the Wagner law, declares it as unlawful for employers to engage in any of the following:

"(1) To interfere with the right to union membership and collective bargaining.

"(2) To dominate or interfere with any union organization.

"(3) To discriminate against union members.

"(4) To discharge or discriminate against workers who file charges under the law.

"A national labor relations board is created to administer this Act.

Labor and Regulation of Commerce

"This law covers all employes engaged in work whose interruption might impair the instrumentalities of commerce, interrupt the flow of commerce, or interfere with the flow of raw materials and processed or manufactured goods. Or pursuing practices in employment which might impair output of goods in commerce.

"Wage earners of this country are vitally concerned with establishing the power of Congress to regulate interstate commerce including all work which directly or indirectly affects interstate commerce because only Congress has control co-extensive with the basis of organizing industry. Any agency making regulations and standards for industry affecting interstate commerce must necessarily have the entire field spanned by those industries."

Economic Life Revolutionized

Explaining that during the last hundred years our system of production has been revolutionized, with the corporation form now dominant, Mr. Green says that State action for the control of commerce, practical in the early days of the republic, is wholly inadequate to meet existing conditions in which "industries have their raw materials from all parts of the country and market them through national channels."

Practice and precedent have steadily added to the regulatory power of the Federal Government. In developing its regulation of interstate commerce, the meaning of the term was steadily widened to include whatever affected it directly or indirectly, including intrastate commerce.

Supreme Court Blocks Progress

"It was expected that similar application of the power of Congress to industries utilizing interstate commerce as a normal contributing agency to production, would make it possible for Congress to legislate for the welfare of our working citizens.

"The decision of the Supreme Court in the Schecter case has at least temporarily blighted this hope.

"Labor believes that the decision of the Court shattering our Federal Government into 48 separate local governments will result in a way of achieving national regulation is the greatest obstacle to orderly progress that has befallen our nation since the Civil War.

Better Wealth Distribution Imperative

"Industries are organized for purpose of profit and will not voluntarily conform to standards furthering social welfare. Past years of experience with unrestricted competition have demonstrated that unless there is better distribution of wealth with higher regard for social welfare, we cannot hope to have the continuing power necessary to sustain the efficiency of mass production.

"In recent years we have experienced the worst aspects of unrestricted private control of industries. Obviously progress toward social welfare along that line will be limited materially.

"The only way we can assure social progress is to fix basic minimum standards below which they shall not be lowered, and to set up agencies to prescribe such additional safeguards as may be necessary from time to time.

"Congress must have power to act if we are to protect our interests by planning."

Territorial Regulation of Industry

Pointing out that the workers regarded the Recovery Act establishing rights the minimum wage, maximum hours and trade union membership as the first real effort by the Federal Government to give them constructive help, Mr. Green continues:

"The technicalities upon which the Supreme Court declared the National Recovery Act unconstitutional did not seem to wage earners adequate grounds for depriving them of rights so recommended to compel industries to secure social progress.

"Wage earners know that if they get anywhere with organization, they must cover the whole extent of the industry; they further know that effective regulation of industry must be correlative with the industry territorially. They know the local manager has to get authorization from the national executive of the industry to meet with union representatives and to enter into contracts.

"They know full well that manufacturing is not a local matter in the basic industries.

Labor Resents Injustice

"The Wagner-Connery Act to protect the rights of workers to join labor unions, membership and collective bargaining and designating infringement on those rights as unfair labor practice, returns to wage earners some of the ground lost in the decision of the Supreme Court in the Schecter case, but it would be well for public officials to realize that there is a limit to the patience of wage earners that is resentful of injustice even when justified by legal technicalities.

"Organized employers have already served notice they do not intend to comply with the Wagner Act and that they intend to do everything in their power to have this law declared unconstitutional.

"They know full well that in the battle of litigation they have the heavy advantage of unlimited funds to employ the ablest counsel and most able lawyers as well as the tide over the period of waiting.

"Either our Government must inject new vitality in existing agencies and statutes for doing what is necessary for our nation to plan so that the whole nation may benefit by our natural endowments which is the product of collective as well as individual work or there can be no national economic planning and finally no national authority.

"There must be a coordination or permanent economic advantage from continuing to sacrifice the welfare of that group of our citizens called labor to speed in material progress and the building up of large private fortunes which inevitably obstruct social welfare."

"Law and Order" Terrorism Against Workers In Harlan County Assailed by Miners' Union

By A. F. of L. News Service.

Washington, D. C.—The reign of violence in Harlan County, Kentucky, have imposed and continue to impose on organized miners is emphatically denounced by the United Mine Workers Journal, official publication of the United Mine Workers of America.

The Journal stressed the report of Governor Laffoon's investigator sent to Harlan County that Sheriff Middleton and his armed gunmen under the guise of deputy sheriffs are in reality non-union coal operators' gunmen and thugs. To keep the coal miners of Harlan County from joining the United Mine Workers of America, and nearly as can be ascertained, there have been as many as 183 of these "deputies" employed in Harlan County.

The Harlan County Enterprise, speaking of the "deputies" says: "Many of them are known as gunmen and are referred to the activities of these gunmen as necessary for the protection of property rights of operators." They are hoping for the day to come when the Commonwealth of Kentucky will clean up Harlan County so that it will be a safe place for free men to live in.

"There are coal companies in Harlan County who do not approve the tactics and methods of those non-union companies that have the protection of armed gunmen. A number of coal companies have contracts with the United Mine Workers of America and conduct their business and industrial relations on a respectable and decent basis.

"But there are others that still cling to the ancient means of pistol and blackjack to enforce their will upon the miners. And that they may profess non-union and lengthen hours, continue poor working conditions and keep the men and their families in a state of peonage and slavery.

"A day of reckoning is at hand. Coal companies who continue to operate under their terrorism. The people of the great State of Kentucky and of the entire nation will not long tolerate it.

"Coal miners must and will be free to join the United Mine Workers of America. The rank and file miners of Harlan County who have suffered the brutalities of these thugs posing as deputy sheriffs.

"We hope that those in the Harlan Daily Enterprise can then truthfully say 'there is law and order in Harlan County'."